

# EXHIBIT A

**NOTICE OF YOUR RIGHT TO “OPT-IN” TO A LAWSUIT  
BROUGHT BY DELIVERY DRIVERS AGAINST FEDEX GROUND**

*Sullivan-Blake et al. v. FedEx Ground Package System, Inc.,*  
*C.A. No. 18-1698 (W.D. Pa.)*

This is a court-authorized notice to inform you of your right to join a lawsuit that has been filed by several delivery drivers seeking recovery for unpaid overtime compensation. According to the company’s records, you have worked as a delivery driver out of a FedEx Ground station since November 27, 2015. If you operated a vehicle under 10,001 pounds gross vehicle weight at any time since November 27, 2015, and were not paid overtime compensation for all hours worked over forty in a week in which you operated a vehicle under 10,001 pounds, you are eligible to participate in this case. **In order to join this case and to receive any part of a settlement or judgment that may be entered in plaintiffs’ favor, you must complete and return the enclosed consent form to [Claims Administrator address], and it must be received no later than DATE. [For the emailed version:] You may also submit a consent form to participate in the case by CLICKING ON THIS LINK, filling in the requested information, and pressing the button to submit your form.**

In this lawsuit, the plaintiffs allege that FedEx Ground is the joint employer of delivery drivers who worked under Independent Service Providers (ISPs) or Contracted Service Providers (CSPs), and that as the drivers’ alleged joint employer, FedEx Ground has violated the federal Fair Labor Standards Act (“FLSA”), 29 U.S.C. § 201 *et seq.* by failing to pay drivers overtime compensation for all hours worked over forty each week. This alleged claim applies to all drivers who, at any time since November 27, 2015, operated a delivery vehicle under 10,001 pounds gross vehicle weight, and were not paid overtime compensation for all hours worked over forty in a week in which they operated a vehicle under 10,001 pounds, regardless of whether they were paid on a salary, flat daily rate, per-stop rate, or other basis.

In response, FedEx Ground asserts that you may not be eligible for overtime even if you operated a delivery vehicle under 10,001 pounds gross vehicle weight since November 27, 2015. FedEx Ground denies that it did anything wrong and contends that the ISP or CSP, not FedEx Ground, should have paid you any overtime due under the law; that you were the employee of the ISP or CSP and not the employee of FedEx Ground; that any entitlement to overtime depends on the manner in which your ISP or CSP paid you (for instance, to have been paid overtime properly, it was not necessary in all circumstances that you be paid on an hourly basis), the weight of the vehicle you drove and how long you drove it, and the cargo; and that you may be due no overtime because you might already have been paid all that the law requires.

This case is at an early stage, and there has not been a decision by the court as to whether plaintiffs are correct that FedEx Ground is the joint employer of delivery drivers who worked under ISPs or CSPs, or that FedEx Ground owes overtime compensation. There has also not been any settlement reached.

If you do not return the enclosed consent form so that it is received by **DATE**, you will not be considered part of this case and will be unable to receive a share of any settlement or judgment that the plaintiffs may obtain. You are also entitled to hire your own attorney to represent you in this lawsuit, or to pursue a separate lawsuit, which would not be affected by this case. If you do opt in to the case, you will be bound by any ruling or settlement in this case.

The delivery drivers who initiated this action will work with Plaintiffs to make decisions regarding the progress of this litigation, and you may provide input into those decisions as well. You may also be asked to be a witness and/or to provide evidence in this case, although not all individuals who opt in will necessarily be required to do this.

**Again, to opt in to the case, you must return the enclosed Opt-In Consent Form to [Claims Administrator address], and it must be received no later than DATE. [For the emailed version:] Or you may submit a consent form to participate in the case by CLICKING ON THIS LINK, filling in the requested information, and pressing the button to submit your form.**

If you have any questions, you may contact counsel for the plaintiffs:

Shannon Liss-Riordan  
Michelle Cassorla  
Lichten & Liss-Riordan, P.C.  
729 Boylston Street, Suite 2000  
Boston, MA 02116  
Tel: (617) 994-5800  
Maria Jose Cedeno, Paralegal  
mcedeno@llrlaw.com

Peter Winebrake  
Winebrake & Santillo LLC  
Twining Office Center, Suite 211  
715 Twining Road  
Dresher, PA 19025  
pwinebrake@winebrakelaw.com

Dustin T. Lujan  
LUJAN LAW OFFICE  
1603 Capitol Avenue, Suite 310 #A559  
Cheyenne, WY 82001  
(970) 999-4225  
wyoadvocate@gmail.com

Brian Gonzales  
THE LAW OFFICES OF BRIAN D. GONZALES, PLLC  
2580 East Harmony Road, Suite 201  
Fort Collins, CO 80528  
(970) 214-0562  
BGonzales@ColoradoWageLaw.com